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COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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August 7, 2007

IN REPLY PLEASE
REFER TO FILE: PD-1

TO: Each Supervisor

FROM: Donald L. Wolfe
Director of Public Works

ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY SPECIAL BOARD MEETING-JULY 23, 2007

On July 23, 2007, my staff attended the regular Board meeting of the Alameda Corridor-East (ACE) Construction Authority. A copy of the agenda and adopted minutes of the June 25, 2007, regular Board meeting are attached. The following items were discussed at the meeting, which are of interest to the County.

Agenda Item VII—The Board approved staff's recommendation to authorize the Chief Executive Officer to amend the contract with Lim and Nascimento Engineering Corporation to add \$740,000 to Task Order No. 2 of the contract for construction management services associated with the Ramona Boulevard Grade Separation project, for a new contract amount of \$3,995,000.

Agenda Item IX—The Board approved staff's recommendation to authorize the Chief Executive Officer to amend the contract with Lopez and Company and issue a new Task Order in an amount not to exceed \$40,500 for audit services of ACE's consultants and contractors during Fiscal Year 2007-08, for a new contract amount of \$155,242.

Agenda Item X—ACE reported that the current cost estimate for Phase I of their plan of improvements, which consists of various grade separation projects in the San Gabriel Valley, has been revised from \$486.1 million to \$491.0 million due to additional utility relocation and right of way costs.

The next Board meeting will be held on August 27, 2007, at 2 p.m., at the Irwindale City Hall Council Chambers.

VA:abc

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Attach.

cc: Chief Executive Office
Executive Office



Alameda Corridor-East Construction Authority

4900 Rivergrade Rd. Ste. A120 Irwindale, CA 91706 (626) 962-9292 fax (626) 962-3552 www.theaceproject.org

SPECIAL MEETING AGENDA

Monday, July 23, 2007 – 2:00 P.M.

Brea Canyon Road Project Trailer

520 S. Brea Canyon Road

Industry, CA

SEE
REVERSE
FOR MAP

Members of the public may comment on any item on the agenda at the time it is taken up by the Board. We ask that members of the public come forward to be recognized by the Chair and keep their remarks brief. If several persons wish to address the Board on a single item, the Chair may impose a three-minute time limit on individual remarks at the beginning of the discussion.

- | | | |
|-------|--|-----------------|
| I. | Roll Call and Introductions | |
| II. | Plèdge of Allegiance | |
| III. | Approval of Minutes of Meeting of June 25, 2007 (Pages 1-4) | Action |
| IV. | Public Comment | |
| V. | Chairman's Remarks | Information |
| VI. | Chief Executive Officer's Report (Pages 5-29) | Information |
| VII. | Approval of Amendment for Construction Management Services for the Ramona Blvd. Grade Separation Project with Lim & Nascimento Engineering (Pages 30-31) | Action |
| VIII. | Approval of Additional Staff Position – Grants Manager (Pages 32-33) | Action |
| IX. | Approval of Amendment to Lopez & Co. Contract to Provide Auditing Services (Pages 34-35) | Action |
| X. | Quarterly Project Progress Report (Pages 36-52) | Information |
| XI. | Quarterly Project Financial Report (Pages 53-58) | Information |
| XII. | Potential Support of Position on State Legislation Affecting ACE Funding (Distributed at meeting) | Possible Action |
| XIII. | Compensation of Chief Executive Officer | Possible Action |
| XIV. | Adjournment – The Board will adjourn for a tour of the Brea Canyon Road Grade Separation Project | Action |
| XV. | Adjournment | Action |

The ACE Construction Authority is currently constituted of seven (7) member jurisdiction; the Cities of El Monte, Industry, Montebello, San Gabriel and Pomona, the County of Los Angeles and the San Gabriel Valley Council of Governments. A San Bernardino County Council of Governments representative is an ex-officio Board member.

Each member or alternate has one vote. A quorum of the ACE Construction Authority is no less than four (4) of its total voting membership. Actions taken by the ACE Construction Authority shall be by simple majority of the members present with a quorum in attendance except for personnel actions, the annual budget, matters dealing with the Administrative Code or matters requiring subsequent approval by the SGVCOG, all of which shall require five (5) votes.

ACE Board Meeting

Directions to the Brea Canyon Rd. Project Trailer
520 Brea Canyon Rd., Industry, CA 91789

FROM HWY 57 or 60 WB

Exit Brea Canyon Rd.
R on Brea Canyon Rd.
R on Washington St.
Immediate L onto
Metrolink Access Road

**FOLLOW PARKING/
TRAILER DIRECTIONS**

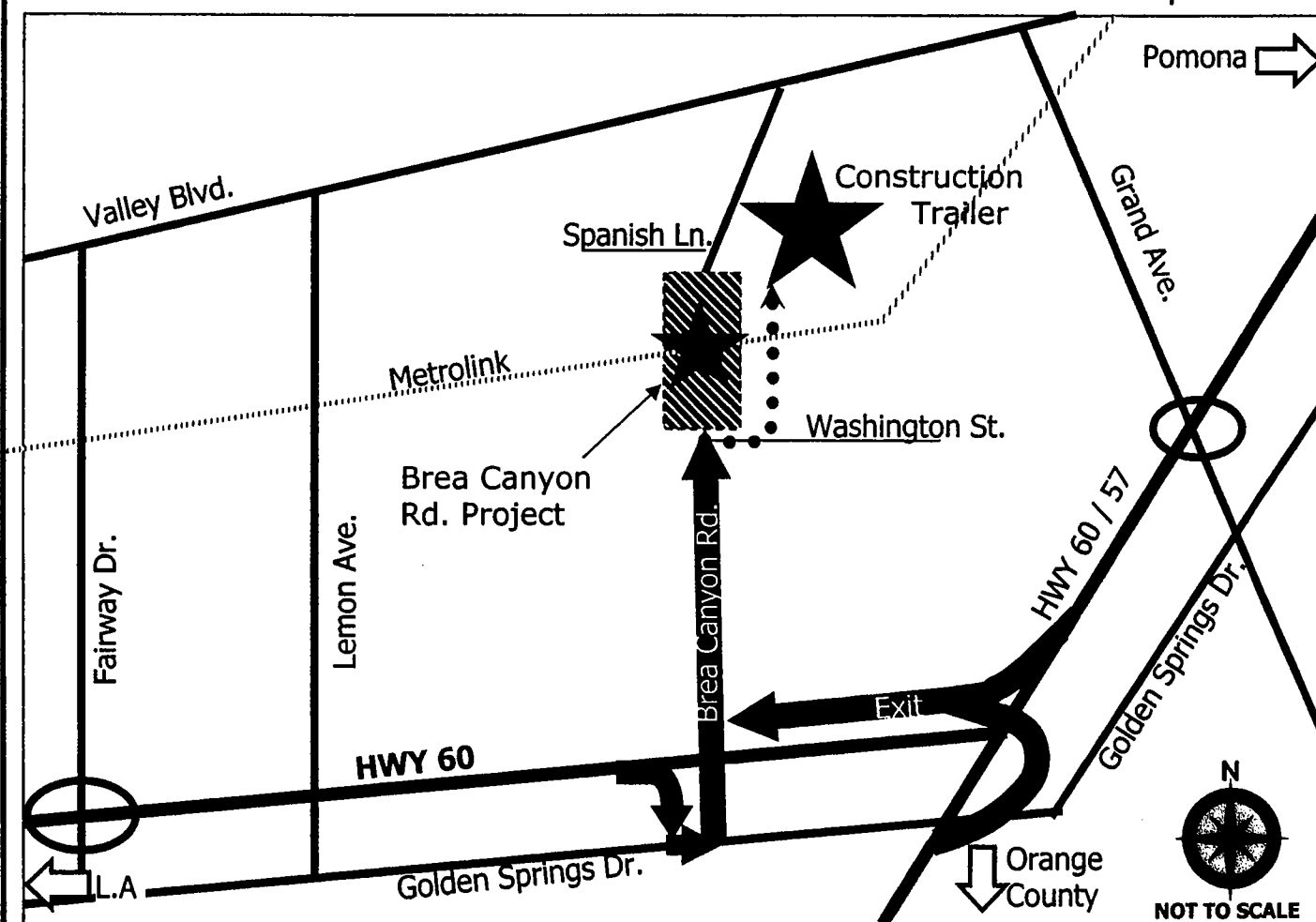
FROM HWY 60 EB

Exit Brea Canyon Rd.
Immediate L onto
Golden Springs Dr.
L on Brea Canyon Rd.
R on Washington St.
Immediate L onto
Metrolink Access Road
**FOLLOW PARKING/
TRAILER DIRECTIONS**

PARKING/TRAILER

Enter Metrolink parking lot
from Washington St.
Cross Railroad Tracks
Straight at Stop Sign
L at fourth row
R at last row

Park inside chain-link fence
next to trailer



LEGEND

— = Roads open to through traffic

➔ = Detour Route



= Road Closed



**ACE Construction Authority
Regular Board Meeting
June 25, 2007
Minutes**

Chairman Hunter called the meeting to order at 2:00 PM.

1. In attendance were:

Ernest Gutierrez, Chairman
George Hunter, Vice Chairman
Carol Herrera, Diamond Bar, SGVCOG
Phil Marcellin, Industry
Michael Antonovich, LA County
Bob Bagwell, Montebello
Harry Baldwin, San Gabriel

Staff

Rick Richmond, Chief Executive Officer
Joe Silvey, Legal Counsel
Sharon Neely, staff
Lou Cluster, staff
Girish Roy, staff
Bruce Armistead, staff
Cynthia Ambrose, staff
Deanna Stanley, staff

Guests

Jack Yoshino, City of Walnut
David Varnam, Congressman Gary Miller
Donna Lee, Southern California Edison
Preston Kelly, Jacobs Engineering
Allen Ude, Los Angeles County Department of Public Works

2. Pledge of Allegiance

Vice Chairman Hunter led the pledge of allegiance.

3. Approval of Minutes of May 21, 2007

A motion was made to approve the meeting minutes of May 21, 2007.
M/S/C: Marcellin/Baldwin/Gutierrez Abstained/Passed

4. Public Comment

There were no public comments.

5. Chairman's Report

Chairman Gutierrez highlighted discussions at the June 9 COG workshop held in West Covina. He referenced the ACE Project as the 'crown jewel' of the COG

and stated that he was pleased that the project has continued to maintain bipartisan support as evidenced at the meeting. He reviewed goals discussed at the workshop and encouraged members continue to focus efforts on both state and federal funding for Phase II of the ACE project. He also reported a project tour was being planned for September for the COG board.

6. Chief Executive Officer's Report

Rick Richmond updated the Board of his continued participation in meetings held to discuss next steps for releasing state funds as passed in legislation. Components discussed at the last meeting included area definitions and matching requirements. He indicated staff was hopeful that the current 50% match requirement was something CTC would reconsider or be more flexible. He indicated the process was slow moving but staff would continue monitoring this matter.

Lou Cluster reviewed the progress photos of the Ramona Blvd and Sunset Avenue grade separation projects. Girish Roy review progress photos of the Brea Canyon Road grade separation project. Bruce Armistead reviewed progress photos of the Temple Avenue train diversion and East End Avenue grade separation projects. Chairman Gutierrez asked staff's consideration of community satisfaction surveys for project-affected residents and businesses upon project completion. Mr. Richmond responded staff would follow up on this request.

7. Approval of Amendment to Program Management Services Contract with Bechtel/Korve and Approval of Incremental Scope of Services for FY '08

Mr. Richmond reviewed the background of the Bechtel/Korve program management contract approved for the implementation of the ACE Project. The contract was approved in 1999 for a term of 96 months and expires in September 2007. He highlighted the scope of services of program management (contract administration, procurement, design and engineering support, environmental services, safety training, public outreach, construction scheduling, cost estimating and utility coordination), technical services (environmental permits and mitigation monitoring, hazardous material and water treatment program and railroad shoofly design), and right-of-way services (property acquisition, relocation, property management and excess property sales). He reviewed the anticipated status key deliverables of FY '07 and proposed key deliverables for FY '08. He summarized the task order budgets – program management (\$3.1M), technical services (\$439,843) and right-of-way (\$2.6M). He reminded the board that right-of-way costs reflect an increase of property acquisitions and relocations as a result of the Baldwin Avenue grade separation project. He also indicated sales of surplus parcels would occur during

this period for property in El Monte and Pomona. He recommended the contract for program management with Bechtel/Korve(DMJM) be extended through June 2008.

A motion was made to approve an amendment to the program management services contract with Bechtel/Korve(DMJM) joint venture to extend the term to June 30, 2008, and approve task order no. 7 for a revised for a revised total contract value of \$50,599,281 as outlined in page 20 of the board agenda.
M/S/C/Hunter/Marcellin/Unanimous

8. Approval of Ongoing Authority Support Services Contracts & Annual Task Orders

Mr. Richmond summarized the tasks of the support services contracts. Womble, Carlyle, Sandridge and Rice and Capital Representation Group each provide support in monitoring legislation and regulations impacting the ACE Project. Padilla & Associates provides labor compliance and disadvantaged business outreach. First Southwest Company assists staff with financing requirements. Lopez & Company performs annual audits. CLMC, Inc., formerly Chris McGargil reviews Union Pacific Railroad invoices. BICEP performs risk management and coordination of ACE's insurance program and Burke, Williams & Sorensen provides general legal services. He reminded the Board that based on forecasted project progress, task orders and budgets are prepared and reviewed annually for Board approval.

A motion was made to authorize the Chief Executive Office to amend or issue annual task orders for the following contracts for continuing support services from July 1, 2007 through June 30, 2008:

- Womble Carlyle for \$193,281
- Capital Representation Group contract amendment for \$65,000
- Padilla & Associates annual task order for \$306,412
- First Southwest Company contract amendment for \$18,000
- Burke, Williams & Sorensen contract extension through FY '08
- CLMC Incorporated contract amendment for \$72,000 and
- Lopez & Company contract amendment for \$29,500

M/S/C/Baldwin/Marcellin/Unanimous

A motion was made to authorize the Chief Executive Officer to amend the contract of BICEP in the amount of \$65,000.

M/S/C/Marcellin/Baldwin/Hunter Abstained

9. Approval of an Increased Contract Authorization for Hunt, Ortmann

Mr. Richmond reviewed the background and scope of services provided by Hunt,

Ortmann. He indicated we have used this firm for construction litigation and fortunately have not had or anticipated major litigation until recently. In addition to assisting the contracts area in preparing IFB documents, they have been representing ACE on collecting on the performance bond related to the IRRIS project as well as handling a potential claim on the Nogales Street grade separation project. With the additional work required on these two items the previous budget will not support continuing services already occurred and through potential litigation.

A motion was made to authorize the Chief Executive Officer to increase the authorized amount for construction legal services by \$223,437 to cover work that has occurred and continue support services with Hunt, Ortmann, Palffy, Nieves, Lubka,, Darling & Mah, Inc.

M/S/C/Hunter/Marcellin/Unanimous

10. Approval of Positions on State Legislation

Sharon Neely reviewed the status of various Senate and Assembly bills and indicated staff would continue to monitor and report progress as necessary. There was no action taken on this item.

11. Recognition of Appreciation of Service of Carol Herrera

Chairman Gutierrez reported the COG recently held elections for new officers and member Herrera would be stepping down as COG representative on the ACE Board. He thanked Carol Herrera for her service on the Board and indicated her energy and ideas would be missed. The Board presented Ms. Herrera with a plaque and joined for a group photo.

12. Closed Session

Joe Silvey announced the Board would adjourn to close session in accordance with Government Code Section 54956.9(b) to discuss two cases of anticipated litigation and (c) initiation of litigation, one case. In addition the Board would discuss the performance evaluation of the Chief Executive Officer in accordance with Government Code Section 54957.

The Board returned from closed session Joe Silvey and announced there was no reportable action taken.

13. Adjournment.

The meeting was adjourned at 3:24PM.